

110TH CONGRESS
1ST SESSION

S. 1055

To promote the future of the American automobile industry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2007

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To promote the future of the American automobile industry, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Automobile
5 Industry Promotion Act of 2007”.

6 **SEC. 2. ADVANCED ENERGY INITIATIVE FOR VEHICLES.**

7 (a) PURPOSES.—The purposes of this section are—

8 (1) to enable and promote, in partnership with
9 industry, comprehensive development, demonstra-
10 tion, and commercialization of a wide range of elec-

1 tric drive components, systems, and vehicles using
2 diverse electric drive transportation technologies;

3 (2) to make critical public investments to help
4 private industry, institutions of higher education,
5 National Laboratories, and research institutions to
6 expand innovation, industrial growth, and jobs in the
7 United States;

8 (3) to expand the availability of the existing
9 electric infrastructure for fueling light duty trans-
10 portation and other on-road and nonroad vehicles
11 that are using petroleum and are mobile sources of
12 emissions—

13 (A) including the more than 3,000,000 re-
14 ported units (such as electric forklifts, golf
15 carts, and similar nonroad vehicles) in use on
16 the date of enactment of this Act; and

17 (B) with the goal of enhancing the energy
18 security of the United States, reduce depend-
19 ence on imported oil, and reduce emissions
20 through the expansion of grid-supported mobil-
21 ity;

22 (4) to accelerate the widespread commercializa-
23 tion of all types of electric drive vehicle technology
24 into all sizes and applications of vehicles, including

commercialization of plug-in hybrid electric vehicles
and plug-in hybrid fuel cell vehicles; and

(5) to improve the energy efficiency of and reduce the petroleum use in transportation.

(b) DEFINITIONS.—In this section:

(1) BATTERY.—The term “battery” means an energy storage device used in an on-road or nonroad vehicle powered in whole or in part using an off-board or on-board source of electricity.

(2) ELECTRIC DRIVE TRANSPORTATION TECHNOLOGY.—The term “electric drive transportation technology” means—

(A) a vehicle that—

(i) uses an electric motor for all or part of the motive power of the vehicle;
and

(ii) may use off-board electricity, including battery electric vehicles, fuel cell vehicles, engine dominant hybrid electric vehicles, plug-in hybrid electric vehicles, plug-in hybrid fuel cell vehicles, and electric rail; or

(B) equipment relating to transportation or mobile sources of air pollution that uses an electric motor to replace an internal combustion

1 engine for all or part of the work of the equip-
2 ment, including corded electric equipment
3 linked to transportation or mobile sources of air
4 pollution.

5 (3) ENGINE DOMINANT HYBRID ELECTRIC VE-
6 HICLE.—The term “engine dominant hybrid electric
7 vehicle” means an on-road or nonroad vehicle that—

8 (A) is propelled by an internal combustion
9 engine or heat engine using—

10 (i) any combustible fuel; and

11 (ii) an on-board, rechargeable storage
12 device; and

13 (B) has no means of using an off-board
14 source of electricity.

15 (4) FUEL CELL VEHICLE.—The term “fuel cell
16 vehicle” means an on-road or nonroad vehicle that
17 uses a fuel cell (as defined in section 803 of the En-
18 ergy Policy Act of 2005 (42 U.S.C. 16152)).

19 (5) INITIATIVE.—The term “Initiative” means
20 the Advanced Battery Initiative established by the
21 Secretary under subsection (f)(1).

22 (6) NONROAD VEHICLE.—The term “nonroad
23 vehicle” has the meaning given the term in section
24 216 of the Clean Air Act (42 U.S.C. 7550).

1 (7) PLUG-IN HYBRID ELECTRIC VEHICLE.—The
2 term “plug-in hybrid electric vehicle” means an on-
3 road or nonroad vehicle that is propelled by an inter-
4 nal combustion engine or heat engine using—

5 (A) any combustible fuel;

6 (B) an on-board, rechargeable storage de-
7 vice; and

8 (C) a means of using an off-board source
9 of electricity.

10 (8) PLUG-IN HYBRID FUEL CELL VEHICLE.—
11 The term “plug-in hybrid fuel cell vehicle” means an
12 onroad or nonroad vehicle that is propelled by a fuel
13 cell using—

14 (A) any compatible fuel;

15 (B) an on-board, rechargeable storage de-
16 vice; and

17 (C) a means of using an off-board source
18 of electricity.

19 (9) INDUSTRY ALLIANCE.—The term “Industry
20 Alliance” means the entity selected by the Secretary
21 under subsection (f)(2).

22 (10) INSTITUTION OF HIGHER EDUCATION.—
23 The term “institution of higher education” has the
24 meaning given the term in section 2 of the Energy
25 Policy Act of 2005 (42 U.S.C. 15801).

1 (11) SECRETARY.—The term “Secretary”
2 means the Secretary of Energy.

3 (c) GOALS.—The goals of the electric drive transpor-
4 tation technology program established under subsection
5 (e) shall be to develop, in partnership with industry and
6 institutions of higher education, projects that focus on—

7 (1) innovative electric drive technology devel-
8 oped in the United States;

9 (2) growth of employment in the United States
10 in electric drive design and manufacturing;

11 (3) validation of the plug-in hybrid potential
12 through fleet demonstrations; and

13 (4) acceleration of fuel cell commercialization
14 through comprehensive development and commer-
15 cialization of battery technology systems independent
16 of fundamental fuel cell vehicle technology develop-
17 ment.

18 (d) ASSESSMENT.—Not later than 120 days after the
19 date of enactment of this Act, the Secretary shall offer
20 to enter into an arrangement with the National Academy
21 of Sciences—

22 (1) to conduct an assessment (in cooperation
23 with industry, standards development organizations,
24 and other entities, as appropriate), of state-of-the-

1 art battery technologies with potential application
2 for electric drive transportation;

3 (2) to identify knowledge gaps in the scientific
4 and technological bases of battery manufacture and
5 use;

6 (3) to identify fundamental research areas that
7 would likely have a significant impact on the devel-
8 opment of superior battery technologies for electric
9 drive vehicle applications; and

10 (4) to recommend steps to the Secretary to ac-
11 celerate the development of battery technologies for
12 electric drive transportation.

13 (e) PROGRAM.—The Secretary shall conduct a pro-
14 gram of research, development, demonstration, and com-
15 mercial application for electric drive transportation tech-
16 nology, including—

17 (1) high-capacity, high-efficiency batteries;

18 (2) high-efficiency on-board and off-board
19 charging components;

20 (3) high-powered drive train systems for pas-
21 senger and commercial vehicles and for nonroad
22 equipment;

23 (4) control system development and power train
24 development and integration for plug-in hybrid elec-

1 tric vehicles, plug-in hybrid fuel cell vehicles, and en-
2 gine dominant hybrid electric vehicles, including—

3 (A) development of efficient cooling sys-
4 tems;

5 (B) analysis and development of control
6 systems that minimize the emissions profile
7 when clean diesel engines are part of a plug-in
8 hybrid drive system; and

9 (C) development of different control sys-
10 tems that optimize for different goals, includ-
11 ing—

12 (i) battery life;

13 (ii) reduction of petroleum consump-
14 tion; and

15 (iii) green house gas reduction;

16 (5) nanomaterial technology applied to both
17 battery and fuel cell systems;

18 (6) large-scale demonstrations, testing, and
19 evaluation of plug-in hybrid electric vehicles in dif-
20 ferent applications with different batteries and con-
21 trol systems, including—

22 (A) military applications;

23 (B) mass market passenger and light-duty
24 truck applications;

25 (C) private fleet applications; and

1 (D) medium- and heavy-duty applications;

2 (7) a nationwide education strategy for electric
3 drive transportation technologies providing sec-
4 ondary and high school teaching materials and sup-
5 port for education offered by institutions of higher
6 education that is focused on electric drive system
7 and component engineering;

8 (8) development, in consultation with the Ad-
9 ministrator of the Environmental Protection Agency,
10 of procedures for testing and certification of criteria
11 pollutants, fuel economy, and petroleum use for
12 light-, medium-, and heavy-duty vehicle applications,
13 including consideration of—

14 (A) the vehicle and fuel as a system, not
15 just an engine; and

16 (B) nightly off-board charging; and

17 (9) advancement of battery and corded electric
18 transportation technologies in mobile source applica-
19 tions by—

20 (A) improvement in battery, drive train,
21 and control system technologies; and

22 (B) working with industry and the Admin-
23 istrator of the Environmental Protection Agen-
24 cy—

- 1 (i) to understand and inventory mar-
2 kets; and
3 (ii) to identify and implement methods
4 of removing barriers for existing and
5 emerging applications.

6 (f) ADVANCED BATTERY INITIATIVE.—

7 (1) IN GENERAL.—The Secretary shall establish
8 and carry out an Advanced Battery Initiative in ac-
9 cordance with this subsection to support research,
10 development, demonstration, and commercial appli-
11 cation of battery technologies.

12 (2) INDUSTRY ALLIANCE.—Not later than 180
13 days after the date of enactment of this Act, the
14 Secretary shall competitively select an Industry Alli-
15 ance to represent participants who are private, for-
16 profit firms headquartered in the United States, the
17 primary business of which is the manufacturing of
18 batteries.

19 (3) RESEARCH.—

20 (A) GRANTS.—The Secretary shall carry
21 out research activities of the Initiative through
22 competitively-awarded grants to—

- 23 (i) researchers, including Industry Al-
24 liance participants;
25 (ii) small businesses;

1 (iii) National Laboratories; and

2 (iv) institutions of higher education.

3 (B) INDUSTRY ALLIANCE.—The Secretary
4 shall annually solicit from the Industry Alli-
5 ance—

6 (i) comments to identify advanced
7 battery technology needs relevant to elec-
8 tric drive technology;

9 (ii) an assessment of the progress of
10 research activities of the Initiative; and

11 (iii) assistance in annually updating
12 advanced battery technology roadmaps.

13 (4) AVAILABILITY TO THE PUBLIC.—The infor-
14 mation and roadmaps developed under this sub-
15 section shall be available to the public.

16 (5) PREFERENCE.—In making awards under
17 this subsection, the Secretary shall give preference
18 to participants in the Industry Alliance.

19 (g) COST SHARING.—In carrying out this section, the
20 Secretary shall require cost sharing in accordance with
21 section 988 of the Energy Policy Act of 2005 (42 U.S.C.
22 16352).

23 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section
25 \$100,000,000 for each of fiscal years 2008 through 2012.

1 **SEC. 3. AVAILABILITY OF NEW ADVANCED LEAN BURN**
 2 **TECHNOLOGY MOTOR VEHICLE CREDIT FOR**
 3 **HIGH-EFFICIENCY DIESEL MOTOR VEHICLES.**

4 (a) IN GENERAL.—Section 30B(c)(3)(A) of the In-
 5 ternal Revenue Code of 1986 (defining new advanced lean
 6 burn technology motor vehicle credit) is amended—

7 (1) by adding “and” at the end of clause (ii),

8 and

9 (2) by striking clause (iv).

10 (b) EFFECTIVE DATE.—The amendments made by
 11 this section shall apply to property purchased after the
 12 date of the enactment of this Act.

13 **SEC. 4. BIODIESEL STANDARDS.**

14 Section 211 of the Clean Air Act (42 U.S.C. 7545)
 15 is amended—

16 (1) by redesignating the first subsection (r) (re-
 17 lating to the definition of the term “manufacturer”)
 18 as subsection (t) and moving the subsection so as to
 19 appear after subsection (s); and

20 (2) by inserting after subsection (o) the fol-
 21 lowing:

22 “(p) BIODIESEL STANDARDS.—

23 “(1) DEFINITIONS.—In this subsection:

24 “(A) BIODIESEL.—

25 “(i) IN GENERAL.—The term ‘bio-
 26 diesel’ means the monoalkyl esters of long

1 chain fatty acids derived from plant or ani-
2 mal matter that meet—

3 “(I) the registration require-
4 ments for fuels and fuel additives es-
5 tablished by the Environmental Pro-
6 tection Agency under section 211 of
7 the Clean Air Act (42 U.S.C. 7545);
8 and

9 “(II) the requirements of the
10 American Society of Testing and Ma-
11 terials D6751.

12 “(ii) INCLUSIONS.—The term ‘bio-
13 diesel’ includes esters described in sub-
14 paragraph (A) derived from—

15 “(I) animal waste, including
16 poultry fat, poultry waste, and other
17 waste material; and

18 “(II) municipal solid waste,
19 sludge, and oil derived from waste-
20 water or the treatment of wastewater.

21 “(B) BIODIESEL BLEND.—

22 “(i) IN GENERAL.—The term ‘bio-
23 diesel blend’ means a mixture of biodiesel
24 and diesel fuel (as defined in section

1 4083(a) of the Internal Revenue Code of
2 1986).

3 “(ii) INCLUSIONS.—The term ‘bio-
4 diesel blend’ includes—

5 “(I) a blend of biodiesel and die-
6 sel fuel approximately 5 percent of the
7 content of which is biodiesel (com-
8 monly known as ‘B5’); and

9 “(II) a blend of biodiesel and die-
10 sel fuel approximately 20 percent of
11 the content of which is biodiesel (com-
12 monly known as ‘B20’).

13 “(2) STANDARDS.—Not later than 180 days
14 after the date of enactment of the American Auto-
15 mobile Industry Promotion Act of 2007, the Admin-
16 istrator shall promulgate regulations to establish
17 standards for each biodiesel blend that is sold or in-
18 troduced into commerce in the United States.”.

○